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EXAMINER
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SU, SARAH

ART UNIT	PAPER NUMBER
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2431

NOTIFICATION DATE	DELIVERY MODE
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08/25/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/573,898	<b>Applicant(s)</b> SASABE, TORU	
	<b>Examiner</b> Sarah Su	<b>Art Unit</b> 2431	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 19,20,22-29 and 31-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19,20,22-29 and 31-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **FINAL ACTION**

1. Amendment A, received on 15 June 2010, has been entered into record. In this amendment, claims 19, 20, 22-29, and 31-36 have been amended, claims 21 and 30 have been canceled.
2. Claims 19, 20, 22-29, and 31-36 are presented for examination.

### ***Response to Arguments***

3. With regards to the objection to claim 28, the applicant has submitted claim amendments, and the examiner hereby withdraws the objection.
4. With regards to the objection to the drawings, the applicant has submitted replacement drawings, and the examiner hereby withdraws the objection.
5. Applicant's arguments filed 15 June 2010 have been fully considered but they are not persuasive.

It is argued by the applicant that Chou does not disclose displaying a request for a user to input a password via an input device when the previously stored password received from the second apparatus does not coincide with the previously stored password in the first storage device. The examiner respectfully disagrees. Chou discloses that if an entered password does not match, then a user enters an encrypted signature (119, 120, 124, Figure 10). It is noted that Chou also discloses that the security function will generate a prompt to enter the first password (col. 9, lines 13-15); therefore, in the event that the first password does not match, the system must alert the user of the mismatch in order for the user to know to enter the encrypted signature.

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Further, Chou also discloses that the password verification can either be performed by verifying a password entered by a user or by verification of a quantity read from an externally connected memory device (i.e. retrieving previously stored password) (col. 2, lines 16-19).

In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, Chou discloses that allowing a user to enter another password to gain operation provides for an alternative method to gain access without entering one of the user selected passwords in the event of an emergency (col. 9, lines 25-28).

### ***Drawings***

6. The drawings were received on 15 June 2010. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 19, 20, 22, 24-29, 31, and 33-36 rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens et al. (US 2003/0048174 A1 and Stevens hereinafter) in view of Chou et al. (US Patent 5,892,906 and Chou hereinafter).

As to claims 19 and 28, Stevens discloses a system and method for wirelessly transmitting a password that can be used to unlock/lock a password protected electronic device, the system and method having:

**a first electronic apparatus (104, Figure 1);**

**a second electronic apparatus connected to the first electronic apparatus via an apparatus control line (102, Figure 1),**

**wherein the second electronic apparatus comprises a second storage device for previously storing a password (0015, lines 1-2),**

**wherein the first electronic apparatus comprises:**

**a first storage device for previously storing the password (0016, lines 10-12);**

**a control device for (i) requesting the second electronic apparatus to transmit the password stored in the second storage device at an activation of the first electronic apparatus, (ii) receiving the password stored in the second storage device from the second electronic apparatus, (iii) comparing the password received from the second electronic apparatus with the password stored in the first storage device, and (iv), when the**

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**password received from the second electronic apparatus coincides with the password stored in the first storage device, executing a security function so as to start an operation of the first electronic apparatus (0016, lines 10-16);**

**a display device for displaying a message to a user (0022, lines 8-12);**

**an input device for inputting the password (0022, lines 8-12).**

Stevens fails to specifically disclose:

**wherein, when the password received from the second electronic apparatus does not coincide with the password stored in the first storage device, the control device displays, on the display device, a request for the user to input the password via the input device,**

**wherein the control device compares the password inputted by the user via the input device with the password stored in the first storage device,**

**wherein, when the password inputted by the user coincides with the password stored in the first storage device, the control device starts the operation of the first electronic apparatus.**

Nonetheless, these features are well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses a system and method for preventing theft of computer devices, the system and method having:

**wherein, when the password received from the second electronic apparatus does not coincide with the password stored in the first storage device (120, Figure 10), the control device displays, on the display device, a request for the user to input the password via the input device (col. 9, lines 28-30),**

**wherein the control device compares the password inputted by the user via the input device with the password stored in the first storage device (col. 9, lines 33-35),**

**wherein, when the password inputted by the user coincides with the password stored in the first storage device, the control device starts the operation of the first electronic apparatus (col. 9, lines 33-36).**

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by allowing entry of a user inputted password in order to start operation. Chou recites motivation by disclosing that allowing entry of a password by a user provides an emergency mode such that the user can enter the administration mode without entering either one of the user selected password (col. 9, lines 25-28). It is obvious that the teachings of Chou would have improved the teachings of Stevens by providing for a way for a user to access the device without the proper first password in order to provide access in the event of an emergency.

As to claims 20 and 29, Stevens discloses:

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**wherein, when the password received from the second electronic apparatus does not coincide with the password stored in the first storage device, the control device executes the security function so as to stop the operation of the first electronic apparatus (0016, lines 16-19).**

As to claims 22 and 31, Stevens fails to specifically disclose:

**wherein, when the password inputted by the user does not coincide with the password stored in the first storage device, the control device stops the operation of the first electronic apparatus.**

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

**wherein, when the password inputted by the user does not coincide with the password stored in the first storage device, the control device stops the operation of the first electronic apparatus (col. 9, lines 40-43).**

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by stopping operation if a user inputted password does not match. Chou recites motivation by disclosing that requiring a user to enter a unique word or number related to the particular computer each time the computer is powered up discourages theft (col. 2, lines 10-13). It is obvious that the teachings of Chou would have improved the teachings of Stevens by stopping operation

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of a device if a user entered password does not match in order to discourage theft of the device.

As to claims 24 and 33, Stevens fails to specifically disclose:

**wherein the first electronic apparatus further comprises a third storage device for previously storing a special password other than the password stored in the first storage device,**

**wherein the control device compares the password inputted by the user with the special password stored in the third storage device,**

**wherein, when the password inputted by the user coincides with the special password stored in the third storage device, the control device starts the operation of the first electronic apparatus.**

Nonetheless, these features are well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

**wherein the first electronic apparatus further comprises a third storage device for previously storing a special password other than the password stored in the first storage device (col. 4, lines 20-24),**

**wherein the control device compares the password inputted by the user with the special password stored in the third storage device (col. 4, lines 10-19),**

**wherein, when the password inputted by the user coincides with the special password stored in the third storage device, the control device starts the operation of the first electronic apparatus** (col. 4, lines 10-19).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by using another password to start operation of a device. Chou recites motivation by disclosing that two keys are provided in the event that one key is mislaid (col. 4, lines 20-24). It is obvious that the teachings of Chou would have improved the teachings of Stevens by providing for an alternative password that can start operation of a device in order to provide for access even if a first password is lost.

As to claims 25 and 34, Stevens discloses:

**wherein the control device executes the detecting performed by the first detecting device and the detecting performed by the second detecting device during the operation of the first electronic apparatus** (0015, lines 9-13).

Stevens fails to specifically disclose:

**a first detecting device for detecting whether or not the second electronic apparatus is connected to the first electronic apparatus via the apparatus control line;**

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**a second detecting device for, when the first detecting device detects that the second electronic apparatus is connected to the first electronic apparatus, detecting whether or not the second electronic apparatus has the security function using a control signal of the apparatus control line.**

Nonetheless, these features are well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

**a first detecting device for detecting whether or not the second electronic apparatus is connected to the first electronic apparatus via the apparatus control line (45, Figure 5);**

**a second detecting device for, when the first detecting device detects that the second electronic apparatus is connected to the first electronic apparatus, detecting whether or not the second electronic apparatus has the security function using a control signal of the apparatus control line (44, 45, Figure 5).**

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by detecting if an apparatus is connected and if a security function exists. Chou recites motivation by disclosing that when a computer is in a locked state (i.e. has security function), the external memory must be connected to the computer in order to discourage theft (col. 2, lines 35-40). It

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is obvious that the teachings of Chou would have improved the teachings of Stevens by checking if a device has a security function and if a second apparatus is connected in order to ensure that a user is authorized to use a computer and thus discourage theft of the device.

As to claims 26 and 35, Stevens fails to specifically disclose:

**wherein, when the first detecting device detects that the second electronic apparatus is not connected to the first electronic apparatus, the control device stops processing of the security function, and starts an ordinary operation of the first electronic apparatus.**

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

**wherein, when the first detecting device detects that the second electronic apparatus is not connected to the first electronic apparatus, the control device stops processing of the security function, and starts an ordinary operation of the first electronic apparatus** (col. 5, lines 64-66; col. 6, lines 13-20).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by starting ordinary operation of a device when a second apparatus is not connected. Chou recites motivation by

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disclosing that when a user believes theft is a minimal risk, the user may unlock the computer so that the security key is not required (i.e. not connected) (col. 5, lines 63-66). It is obvious that the teachings of Chou would have improved the teachings of Stevens by unlocking the computer if the risk of theft is believed to be low in order to allow for regular operation without attaching a security key.

As to claims 27 and 36, Stevens fails to specifically disclose:

**wherein, when the second detecting device detects that the second electronic apparatus does not have the security function, the control device stops the processing of the security function, and starts the ordinary operation of the first electronic apparatus.**

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

**wherein, when the second detecting device detects that the second electronic apparatus does not have the security function, the control device stops the processing of the security function, and starts the ordinary operation of the first electronic apparatus** (i.e. unlocked) (col. 4, lines 61-63).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by starting an ordinary operation if

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a security function is not present. Please refer to the motivation recited above with respect to claims 26 and 35 as to why it is obvious to apply the teachings of Chou to the teachings of Stevens.

9. Claims 23 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens in view of Chou as applied to claims 19 and 28 above, and further in view of Karasawa et al. (US Patent 4,786,900 and Karasawa hereinafter).

As to claims 23 and 32, Stevens in view of Chou fails to specifically disclose:

**wherein the control device compares the password inputted by the user a predetermined number of times of more than two with the password stored in the first storage device, and, when the password inputted by the user does not coincide with the password stored in the first storage device, the control device stops the operation of the first electronic apparatus.**

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens in view of Chou, as taught by Karasawa.

Karasawa discloses a system and method for using an electronic key apparatus to unlock a lock, the system and method having:

**wherein the control device compares the password inputted by the user a predetermined number of times of more than two with the password stored in the first storage device, and, when the password inputted by the user does not coincide with the password stored in the first storage device,**

**the control device stops the operation of the first electronic apparatus** (col. 9, lines 2-10).

Given the teaching of Karasawa, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens in view of Chou with the teachings of Karasawa by allowing a predetermined number of password entry attempts before stopping operation. Karasawa recites motivation by disclosing that by allowing three attempts to correctly enter a password, it is guaranteed that a person who does not know the preset password data cannot use the electronic key (col. 9, lines 8-10). It is obvious that the teachings of Karasawa would have improved the teachings of Stevens in view of Chou by allowing a predetermined number of entry attempts before stopping operation in order to ensure that a person without the proper knowledge cannot gain access, while still accommodating for entry mistakes of an authorized user.

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah Su whose telephone number is (571) 270-3835. The examiner can normally be reached on Monday through Friday 7:30AM-5:00PM EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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